

HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR**DIVISION BENCH**

**CORAM : HON'BLE SHRI S.R. NAYAK, C.J.
& HON'BLE SHRI D.R. DESHMUKH, J.**

M.C.C. NO. 294 OF 2005**Appellants
Applicants**

1. Smt. Mamta Sao, Wd/of Hari Ram @ Pappu, Aged about 23 years.
2. Minor Umar Sao, S/o Late Hari Ram @ Pappu, Aged about 1½ years.
3. Minor Ku. Chunni Sao, D/o Hari Ram @ Pappu, Aged about-2 months, Serial No. 2 & 3 or Minors.
Through : Natural Guardian Mother Smt. Mamta Sao, All R/o Village-Liptee, Thana-Dharamjaigarh, District - Raigarh(C.G.)

Vs.

**Non-Applicants
Respondents**

1. Anand Swaroop, S/o Shri Vhismbhar Dayal Agrawal, Occupation - Owner of Vehicle (Jeep) No. M.P.26A/3757, R/o. Village - Paththalgaon, District Jashpur.

Driver

2. Seth Ram S/o Bhola Ram, R/o Village - Diwanpur, Tha. Paththalgaon, District Jashpur

Insurer

3. The Oriental Insurance Cor. Limited, Registered Office Oriental House P. Box No. 7037925/27 Ashaf Ali Road, New Delhi 1150002, Through : Branch Manager, The Oriental Insurance Co. Ltd. Branch Office-Itwari Bazar, Raigarh, District - Raigarh.

Present : Mr. J.P. Sarkar, learned counsel for the appellants.

ORAL ORDER

(Passed on 3rd January, 2006)

The following order of the Court was passed by

S.R. NAYAK, C.J.

Heard.

Sufficient cause is shown. The MCC is ordered as prayed for. The default order dated 23.11.2005 is set aside and M.A. No.358/2005 is restored to file, subject to the appellants depositing a sum of Rs.100/- to

the credit of Chhattisgarh High Court Legal Services Committee, within
one week from today.

Sd/-
Chief Justice

Sd/-
Dilip Raosaheb Deshmukh
Judge

subby